

## REMARKS

### ***Interview Summary***

Applicants thank the Examiner for the courtesy of the interviews conducted with Applicants' representative, Ms. Kristal on August 6 (in-person) and August 11, 2008 (telephonic). During these interviews, claim rejections over Niederauer and potential claim amendments were discussed. Applicants' representative noted that Niederauer does not describe or suggest a unitary and continuous ceramic structure having interconnected porosity throughout and a second component comprising a polymer infiltrated in the ceramic structure.

### ***Pending Rejection and Claim Amendments***

The Examiner has rejected claims 1, 8-11, 37 and 49-53 under 35 U.S.C. §102 as being anticipated by Niederauer (WO 01/32072).

Applicant respectfully requests that this rejection be withdrawn.

As amended, each of Applicants' independent claims recites a unitary and continuous ceramic structure having interconnected porosity throughout and a second component comprising a polymer infiltrated in the ceramic structure. Applicants respectfully submit that this structure is neither disclosed nor suggested by Niederauer.

As discussed during the interview, Niederauer discloses mixing particles of a biodegradable polymer with particles of a biodegradable ceramic. (Niederauer, e.g., page 9, paragraph 2.) The ceramic is not in the form of a unitary and continuous structure having interconnected porosity.

Therefore, the Applicant submits that the rejected claims are patentable over Niederauer.

### ***Conclusion***

It is believed that all claims are now in condition for allowance, which is respectfully requested.

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Page : 6 of 6

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This amendment is being filed with a Request for Continued Examination. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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